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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,274	12/07/2000	Bruce Tribbensee	002880.P005	4002

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Judith A. Szepesi
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

THAI, HANH B

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 03/19/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,274

Applicant(s)

TRIBBENSEE, BRUCE

Examiner

Hanh B Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the Amendment dated 2/19/03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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This is in response to the Amendment dated February 19, 2003.

DETAILED ACTION

Specification

The Specification is objected to because of the following informalities: the Applicant is requested to update the status of the related application listed on page 1 of the Specification.

Claim Objections

Claims 18-20 are objected to because of the following informalities: two claims 18 exist in the current application. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 9-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Tso et al. (U. S. Patent no. 6,047,327).

1. Regarding claims 9, 16 and 18, Tso discloses an apparatus comprising:
 - a parser to identify a keyword in a message received from a user (see col. 13, Regarding lines 4-9, Tso);
 - a connector file that is connected between “INFOBITE” and “RESOURCES” (93, 95, Fig. 4, Tso) to indicate an action associated with the keyword “FULL STORY TEXT, VIDEO, ...” (see Fig. 4, Tso);
 - an action logic (Fig. 9) to perform the action in “logical database” (see col. 5, lines 1-5, Tso); and
 - a communication unit to send a response with a result from the action to the user (see Fig. 1 and col. 23, lines 51-57, Tso). “Communication unit” corresponds to “communication system” in Fig. 1 of Tso.
2. Regarding claim 10, Tso further discloses that the message is an electronic mail message (see col. 10, lines 27-33, Tso).
3. Regarding claim 12, Tso further discloses the performing an action comprises:
 - accessing a web page identified by the connector; and
 - filling in a form on the web page (see col. 21, lines 33-35, Tso).
4. Regarding claim 13, Tso further discloses the performing an action comprises:
 - accessing a web page identified by the connector; and
 - obtaining data from the web page (see Fig. 4, Tso).

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5. Regarding claims 14 and 17-18, Tso combination further discloses the performing an action comprises:

identifying a keyword in the request designating a destination for the response (Fig. 4, Tso); and downloading data from the web page and sending the response to the destination (see 253, Fig. 8, Tso).

6. Regarding claims 11 and 19, Tso combination further discloses that the request is received from a hand-held device. Hand-held device corresponds to the "cellular device" shown in Tso (see col. 4, lines 4-8, Tso).

7. Regarding claims 15 and 20, Tso further discloses a web page filtering mechanism to filter the data obtained from the web page, the web page filtering mechanism to create a response readable by an originating device (see col. 10, lines 41-61, col. 21, lines 5-10 and col. 25, lines 14-19, Tso).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leong et al. (U. S. Patent no. 5,996,010) in view of Tso et al (U. S. Patent no. 6,047,327).

8. Regarding claim 1, Leong discloses a method comprising:

- receiving a message including a request (see col. 8, lines 29-32 and col. 13, lines 20-24, Leong);
- sending a response including the data to the requester (see col. 13, lines 26-33, Leong).

Leong, however, does not explicitly disclose “identifying a connector based on a keyword in the message” and “performing an action identified by the connector”. Tso, on the other hand, discloses the “connector” between “INFOBITE” and “RESOURCES” (93, 95, Fig. 4, Tso) that is recognized based on the keyword “FULL STORY TEXT, VIDEO, ...” and perform the “ACTIONS” (see Fig. 4, Tso). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Leong to include the claimed feature as taught by Tso. The motivation of doing so would have been to determine the receiving message.

9. Regarding claim 2, Leong/Tso combination further discloses that the message is an electronic mail message (see col. 10, lines 27-33, Tso).

10. Regarding claim 3, Leong/Tso combination further discloses the performing an action comprises:

- accessing a web page identified by the connector; and
- filling in a form on the web page (see col. 21, lines 33-35, Tso).

11. Regarding claim 4, Leong/Tso combination further discloses the performing an action comprises:

- accessing a web page identified by the connector; and
- obtaining data from the web page (see Fig. 4, Tso).

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12. Regarding claims 5-8, Leong/Tso combination further discloses the performing an action comprises:

identifying a keyword in the request designating a destination for the response (Fig. 4, Tso); and downloading data from the web page and sending the response to the destination (see 253, Fig. 8, Tso).

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-9099 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Hanh Thai *HT*
Art Unit 2171
March 16, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100